

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 3, Rio Cebolla

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendant:

Estate of Julian Serrano, Deceased

CHCB-005-0002

and as grounds therefore plaintiff states:

1. The above-named defendant is in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed January 6, 2009 (Doc. No. 9356).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendant incorporating the terms of the State's proposed consent order in Subfile CHCB-005-0002 and in conformance with the Office of the State Engineer Hydrographic Survey for Section 3 of the Rio Chama Stream, Rio Cebolla, as amended.

DATED: January 8, 2009

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of January 2009 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Estate of Julian Serrano, Deceased
Flavio Gurule, PR
53 Bouquet Lane
Santa Fe, NM 87506

/s/ Ed Newville

EDWARD G. NEWVILLE